

REMARKS

In response to the Non-Final Office action dated September 11, 2006, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Applicant gratefully acknowledges the Examiner's noting that the amendment filed July 24, 2006 has been entered and that the amendment filed July 24, 2006 did not show all of the changes made to the claims. As the after-final amendment filed May 22, 2006 was not entered, the amendment filed July 24, 2006 should have shown changes made to the claims of the amendment dated March 6, 2006, not to the claims of the May 22, 2006 submission. Since Applicant's submission filed on July 24, 2006 was entered, the above claim amendments in response to the current Office action show changes to the claims of the July 24, 2006 submission. If this understanding is not correct, Applicant will provide further submission as requested by the Examiner to remedy any deficiency. Applicant apologizes for any inconvenience to the Examiner this may have caused.

Claims 1, 3-7 and 10-16 are pending in the present Application. Claims 4, 6, 12 and 16 are amended, leaving Claims 1, 3-7 and 10-16 for consideration upon entry of the present amendments and following remarks.

Support for the claim amendments can at least be found in the specification, the figures, and the claims as originally filed. No new matter has been introduced by these amendments.

Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

Allowable Subject Matter

Applicant gratefully thanks the Examiner for indicating that Claims 1, 3-7, 10 and 11 are allowable.

Claim Rejections – 35 USC §112

The Examiner has rejected Claims 4, 6 and 12-16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which Applicant regards as the invention.

Regarding Claims 4 and 6, the element “the maximum search window variable circuit” in Claims 4 and 6 lacks proper antecedent basis. In response, Applicant hereinabove amends Claims 4 and 6 from reciting “search window *variable* circuit” to “search window *calculation* circuit” having proper antecedent basis in Claim 1, line 4.

Regarding Claims 12-15, the element “the changed maximum search window” in claims 12-15 is unclear in its given context. In response, Applicant hereinabove amends Claim 12 to delete the phrase “using the changed maximum search window” from the claim.

Regarding Claim 16, the element “a quantity of light for inputting the image signal inputted from an image to detect the quantity of light and to detect a movement speed for inputting a movement value to detect a movement speed and generating a sampling rate control signal for generating the sampling rate control signal” need clarification. In response, Applicant hereinabove amends Claim 16 to better set forth the invention and to provide clarification to the scope of the invention.

Applicants respectfully submit that Claims 4, 6 and 12-16, as respectively amended, are definite, particularly point out and distinctively claim the subject matter which Applicant regards as the invention., thereby satisfying the requirements of 35 U.S.C. § 112, second paragraph. Reconsideration, entry of the claim amendments and allowance of Claims 4, 6 and 12-16 are respectfully requested.

Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued.

If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

Applicant hereby petitions for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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